

### **REMARKS**

The subject application has been thoroughly reviewed in light of the outstanding Office Action of March 18, 2004. Claims 1 and 2 are pending and have been amended. Claim 1 is independent. Claims 3-6 have been canceled without prejudice and disclaimer of subject matter. Claim 7 was previously canceled.

Applicants reply of January 8, 2004, in response to the August 8, 2003 Action, was considered by the Office to be not fully responsive. Specifically, the Office alleged that Applicants had intended to change the claimed invention. While not conceding the Office position, Applicants have now amended the remaining claims to clearly indicate the scope of the claimed invention. That is, a self-checkout system conveyor drive roller.

With regard to distinguishing the claimed invention from the prior art cited in the prior Office Action of August 8, 2003, Applicant now submits the following. Claims 1-7 were rejected as being obvious over U.S. patent no. 5,119,924 (Kaminski) in view of U.S. patent no. 2, 439,520 (Miller). For the following reasons, applicant submits that the presently claimed invention is patentable over the cited prior art and the prior art of record.

Claim 1 is directed to a self-checkout system conveyor drive roller, and includes a hollow cylinder having a knurled outer surface and a motor. The motor is housed within the hollow cylinder and includes an armature and a field magnet portion. The field magnet portion is affixed to the inside of the cylinder and rotates around the armature, which remains stationary during operation of the conveyor.

As understood by Applicants, Kaminski is directed to an article feeding apparatus, having a pair of space drums mounted on parallel axis and a one piece belt passing around the drums. The surface of the driven drum is textured to cooperate with the inner surface of the belt to prevent slippage. As also understood by Applicants, Miller appears to be directed to a driving mechanism for a transmission system applicable to a belt drive, where a motor is positioned within a rotating drum. In Miller, the armature of the motor rotates, as does the

drum. Specifically, rotation of the drum is effected by the linking the rotation of the armature through a plurality of gears (intermediate gear 53, pinion 56). Accordingly, in Miller, the field magnet portion of the motor positioned within the drum is not affixed to the drum, and thus, does not move with the drum.

In that regard, Applicants could find nothing in either Kaminski or Miller, either when taken alone or in combination, which discloses, teaches or suggests the claimed invention. Specifically, for example, neither reference discloses, references, teaches or suggests a self-checkout system drive roller for a conveyor. Moreover, neither reference discloses, teaches or suggests a motor which is housed within a drive roller, where the field magnet portion of the drive roller is affixed to the drive roller, and where the armature is stationary, during operation of the conveyor.

Applicants also respectfully submit that the remainder prior art of record fails to meet these deficiencies of Kaminski and Miller. Accordingly, claim 1 is therefore patentable over the prior art of record. Since dependent claim 2 necessarily incorporates by reference all the features of independent claim 1, claim 2 is also patentable for the same reason.

Support for the claimed subject matter may be found on page 7 of the specification, on lines 12-19. Applicants note, that although the current disclosure indicates that either mechanism (Miller - rotating armature; claim 1 – stationary armature)<sup>1</sup> for driving a drive roller is effective, and that selection of such is a matter of design choice, Applicants maintain that the claimed system is still patentable since the prior art fails to disclose, teach or suggest the claimed features. Moreover, Applicants description does not indicate that such claimed features are prior art.

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<sup>1</sup> See specification, page 7, lines 19-21.

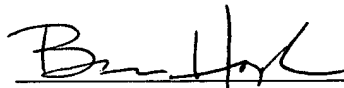
**CONCLUSION**

In view of the foregoing remarks, Applicant submits that the issues raised in the Office Action of March 18, 2003 and August 8, 2003 have all been addressed. Accordingly, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

It is believed that no additional fees are due. In the event that it is determined that any additional fees are due, the Commissioner is hereby authorized to charge the undersigned's Deposit Account No. 50-0311.

Applicants undersigned attorney may be reached in our New York office by telephone at (212) 692-6803. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Brian P. Hopkins, Reg. No. 42,669  
Attorney for Applicants  
c/o Mintz Levin Cohn Ferris  
Glovsky & Popeo, PC

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Mintz Levin Cohn Ferris Glovsky & Popeo PC  
The Chrysler Center  
666 Third Avenue, 24<sup>TH</sup> Floor  
New York, New York 10017  
Tel. No.: (212) 935-3000  
Fax No.: (212) 983-3115